

For the Middle District of Pennsylvania

FILED

HARRISBURG, PA

Civil Action  
No. 1:20-cv-00081

Benjamin Ellis Freedland

v.

FEB 24 2019

PER

DEPUTY CLERK

Motion of consideration to grant Plaintiffs request  
for temporary Restraining order against all named Defendants

In an overabundance of precaution, I, Plaintiff pro se, request this courts consideration to grant Temporary Restraining order(s) against all named defendants in this civil action because there is a distinct possibility that irreparable injury could occur.

With consideration that injunctive relief in any form is "an extraordinary remedy that should be granted in 'limited circumstances'". The plaintiff maintains that all four factors, when determining whether to grant such an order, are relevant and in order.

With respect to its likelihood of success on the merits and with consideration to the plaintiffs allegations, specifically those outlined in paragraphs 17, 18 & 19 of this complaint, giving a play-by-play description of the failure to enforce safety measures set forth by Bureau of Prisons Policy and the Prison Rape Elimination Act, the threat of further retaliation or sexual victimization looms as a very likely scenario should he be transferred to FCI-Allenwood or to any prison that the defendants should currently work at.

With further consideration that plaintiff is currently pending imminent transfer to another prison and has a "pending redesignation" status as of 2/17/2020 a transfer to FCI-Allenwood and or to a prison where one of the named defendants currently works would certainly warrant a distinct possibility that irreparable injury could occur.

A temporary restraining order(s) would greatly limit the possibility of irreparable harm if the preliminary injunction/temporary restraining order is denied and plaintiff is designated to a Bureau of Prisons facility where interactions with the defendants are likely.

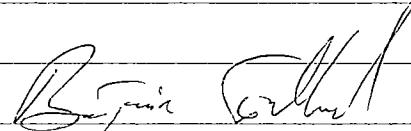
Furthermore, granting Preliminary relief shouldn't result in greater harm to the non moving party and the plaintiff strongly believes the public interest would favor such relief, albeit temporarily.

The Plaintiff thanks this court for its consideration of this motion.

Respectfully Submitted

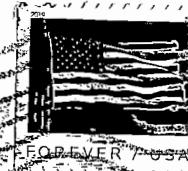
February 17, 2020

Dated

  
signed

Name: Ben Freedland Number: 72119066  
Federal Correctional Institution 2  
P.O. Box 1500  
Butner, NC 27509

RALEIGH, NC 27699  
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United States District Court  
Attn: Clerk of Court  
228 Walnut St  
P.O. Box 983  
Harrisburg, PA 17108